

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CATHY BUCH,

Plaintiff(s),

v.

MARIA ASUNCION ARAMBURUZABALA
LARREGUI, et al.,

Defendant(s).

23-CV-8854 (DEH)

ORDER

DALE E. HO, United States District Judge:

On November 8, 2023, Defendants filed a motion to dismiss the Complaint. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the Complaint once as a matter of course.

Accordingly, it is hereby **ORDERED** that Plaintiff shall file any amended complaint by **December 1, 2023**. Any amended complaint should be filed with a redline showing all differences between the original and revised filing. Plaintiff will not be given any further opportunity to amend the Complaint to address issues raised by the motion to dismiss.

If Plaintiff does amend, by **December 22, 2023**, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that they rely on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendants file a new motion to dismiss or indicates that they rely on their previously filed motion to dismiss, any opposition shall be filed by **January 12, 2024**, and any reply shall be filed by **January 19, 2024**.

If no amended complaint is filed, Plaintiff shall file any opposition to the motion to dismiss by **December 1, 2023**. Defendants' reply, if any, shall be filed by **December 8, 2023**.

Finally, it is further **ORDERED** that the initial pretrial conference previously scheduled for November 29, 2023, and the requirement to file a joint status letter in advance of the conference is **ADJOURNED, sine die**.

SO ORDERED.

Dated: November 9, 2023
New York, New York



DALE E. HO
United States District Judge